

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

NAULA NDUGGA, ON BEHALF OF HERSELF
AND SIMILARLY SITUATED WOMEN,

Plaintiff,

v.

BLOOMBERG L.P.,

Defendant.

20-cv-07464 (GHW) (GWG)

**DECLARATION OF
ELISE M. BLOOM, ESQ.**

I, Elise M. Bloom, Esq., declare, pursuant to 28 U.S.C. § 1746, that the following is true and correct:

1. I am a member of the law firm Proskauer Rose LLP, attorneys for Defendant Bloomberg L.P. (“BLP”) in the above-captioned action. I am fully familiar with the facts set forth herein. I submit this declaration in connection with BLP’s opposition to Plaintiff’s Motion for Class Certification.

2. Attached hereto as **Exhibit A** is a true and accurate copy of excerpts from the deposition transcript of Mindy Massucci, taken on May 2, 2024.

3. Attached hereto as **Exhibit B** is a true and accurate copy of excerpts from the deposition transcript of Katherine Polis, taken on June 4, 2024.

4. Attached hereto as **Exhibit C** is a true and accurate copy of excerpts from the deposition transcript of Lisa Jennings, taken on April 8, 2024.

5. Attached hereto as **Exhibit D** is a true and accurate copy of excerpts from the deposition transcript of Reto Gregori, taken on April 17, 2024.

6. Attached hereto as **Exhibit E** is a true and accurate copy of excerpts from the deposition transcript of Andre-Pierre du Plessis, taken on May 22, 2024.

7. Attached hereto as **Exhibit F** is a true and accurate copy of excerpts from the deposition transcript of Shelby Siegel, taken on May 30, 2024.

8. Attached hereto as **Exhibit G** is a true and accurate copy of excerpts from the deposition transcript of Plaintiff Naula Ndugga, taken on November 15, 2023.

9. Attached hereto as **Exhibit H** is a true and accurate copy of excerpts from the deposition transcript of Krista Sullivan, taken on May 20, 2024.

10. Attached hereto as **Exhibit I** is a true and accurate copy of excerpts from the deposition transcript of David Neumark, taken on October 22, 2024.

11. Attached hereto as **Exhibit J** is a true and accurate copy of excerpts from the Bloomberg Global Resource and Information Core Guide, bearing bates-stamp BLP_Syeed_0000375-84, which was marked as Ndugga Exhibit 11 during Plaintiff's deposition.

12. Attached hereto as **Exhibit K** is a true and accurate copy of an email from Ken Cooper to various recipients, dated January 8, 2019, bearing bates-stamp BLP_Syeed_0006356-59.

13. Attached hereto as **Exhibit L** is a true and accurate copy of a document entitled "Rule 30(b)(6) Deposition – Topic 1(c)," which was marked as Exhibit 3 during Ms. Jennings's deposition.

14. Attached hereto as **Exhibit M** is a true and accurate copy of Plaintiff's Employee Information Report, bearing bates-stamp BLP_Syeed_0000544-56.

15. Attached hereto as **Exhibit N** is a true and accurate copy of excerpts of BLP's human resources data, which was produced in a native format bearing bates-stamp BLP_Syeed_0015934, reflecting information about, *inter alia*, the Job Profiles and pay of the individuals hired into the rotator program from Plaintiff's internship class.

16. Attached hereto as **Exhibit O** is a true and accurate copy of emails between Mindy Massucci and Plaintiff, dated November 16-17, 2017, bearing bates-stamp BLP_Syeed_0003671-72.

17. Attached hereto as **Exhibit P** is a true and accurate copy of emails involving Erin Scanlon, Mindy Massucci and Courtney Farrell, dated November 17-20, 2017, bearing bates-stamp BLP_Syeed_0014045-46.

18. Attached hereto as **Exhibit Q** is a true and accurate copy of a document regarding Plaintiff's internship class, bearing bates-stamp BLP_Syeed_0012970-77.

19. Attached hereto as **Exhibit R** is a true and accurate copy of the Fifth Amended Complaint filed in this matter by Plaintiff as Dkt. 296 on July 10, 2024.

20. Attached hereto as **Exhibit S** is a true and accurate copy of an email from Emma O'Brian to various recipients, dated November 18, 2019, bearing bates-stamp BLP_Syeed_0009774, which was marked as Gregori Exhibit 8 during Mr. Gregori's deposition.

21. Attached hereto as **Exhibit T** is a true and accurate copy of emails between Andre-Pierre du Plessis and Andrew Barden, dated December 13-15, 2021, bearing bates-stamp BLP_Syeed_0013248-49, which was marked as du Plessis Exhibit 39 during Mr. du Plessis's deposition.

22. Attached hereto as **Exhibit U** is a true and accurate copy of emails between Catherine Taibi and Andre-Pierre du Plessis, dated December 4, 2019, bearing bates-stamp BLP_Syeed_0010739-40.

23. Attached hereto as **Exhibit V** is a true and accurate copy of a document entitled "Overall Ratings," bearing bates-stamp BLP_Syeed_0013973-81.

24. Attached hereto as **Exhibit W** is a true and accurate copy of the Fourth Amended Complaint filed in this matter by Plaintiff as Dkt. 170 on December 8, 2022.

25. Attached hereto as **Exhibit X** is a true and accurate copy of emails between Mindy Massucci and Andrew Barden, dated December 9, 2019, bearing bates-stamp BLP_Syeed_0010639-42.

26. Attached hereto as **Exhibit Y** is a true and accurate copy of an email from Alexander Gittleson to Andrew Barden, dated July 9, 2020, bearing bates-stamp BLP_Syeed_0013199.

27. Attached hereto as **Exhibit Z** is a true and accurate copy of emails between Andrew Barden and Mindy Massucci, dated July 13, 2020, bearing bates-stamp BLP_Syeed_0010722-26.

28. Attached hereto as **Exhibit AA** is a true and accurate copy of an email from Shelby Siegel to Anthony Mancini, dated May 2, 2019, bearing bates-stamp BLP_Syeed_0015695, which was marked as Siegel Exhibit 10 during Ms. Siegel's deposition.

29. Attached hereto as **Exhibit BB** is a true and accurate copy of the 2018 year-end "algo rules," bearing bates-stamp BLP_Syeed_0000543, which was marked as Exhibit 22 during Ms. Jennings's deposition.

30. Attached hereto as **Exhibit CC** is a true and accurate copy of an email from Andrew Barden to Mindy Massucci, dated January 14, 2020, bearing bates-stamp BLP_Syeed_0010690-91.

31. Attached hereto as **Exhibit DD** is a true and accurate copy of emails between Rachel Wehrspann and Rachel Parisse, dated January 15, 2019, bearing bates-stamp BLP_Syeed_0012213.

32. Attached hereto as **Exhibit EE** is a true and accurate copy of excerpts of the BOCS audit logs, which were produced in a native format bearing bates-stamp BLP_Syeed_0015932.

33. Attached hereto as **Exhibit FF** is a true and accurate copy of excerpts of the BOCS comment logs, which were produced in a native format bearing bates-stamp BLP_Syeed_0015933.

34. Attached hereto as **Exhibit GG** is a true and accurate copy of emails involving Reto Gregori, Rachel Parisse, Mindy Massucci, and Shelby Siegel, dated March 8, 2019-April 5, 2019, bearing bates-stamp BLP_Syeed_0013039-40.

35. Attached hereto as **Exhibit HH** is a true and accurate copy of an excerpt of a letter from Elise Bloom to Christine Webber and Donna Clancy, dated December 4, 2023.

36. Attached hereto as **Exhibit II** is a true and accurate copy of a cover letter from Elise M. Bloom to Christine Webber and Donna Clancy, dated January 23, 2024.

37. Attached hereto as **Exhibit JJ** is a true and accurate copy of excerpts of the BOCS audit logs, which were produced in a native format bearing bates-stamp

BLP_Syeed_0015932, reflecting managerial changes to Plaintiff's compensation during the 2018 to 2021 year-end processes.

38. During the course of discovery, BLP produced employment data regarding female and male reporters, editors and producers who worked in News in the United States between January 1, 2018 and August 2023. This data was produced in a native format bearing bates-stamps BLP_Syeed_0015934 and BLP_Syeed_0001424. This data included information about the compensation, Job Profile(s), work location(s), sex, and race, among numerous other fields, for each reporter, editor and producer for his or her entire employment with BLP.

39. BLP_Syeed_0015934 and BLP_Syeed_0001424 reflect that Employee IDs "8353156647," "27553413064," and "3182631574" are women.

40. BLP_Syeed_0015934 also reflects that BLP compensated some putative class members nearly \$ [REDACTED] per year. For instance, BLP_Syeed_0015934 reflects that, during the putative class periods:

- a. The total compensation paid to Employee ID "[REDACTED]" a woman who [REDACTED] during the putative class periods, ranged from approximately \$ [REDACTED] to more than \$ [REDACTED] annually.
- b. In 2021, the total compensation of Employee ID "[REDACTED]" a female [REDACTED] was more than \$ [REDACTED]
- c. The total compensation paid to Employee ID "[REDACTED]" a putative class member who worked as [REDACTED] ranged from \$ [REDACTED] to over \$ [REDACTED] during the putative class periods.

41. Because the data produced as BLP_Syeed_0015934 and BLP_Syeed_0001424 is voluminous and contains several dozens of fields, as well as numerous rows of data for each employee, the underlying data referenced in paragraphs 38-40 herein is not attached to this declaration, but can be provided at the Court's request.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York
June 23, 2025

/s/ Elise M. Bloom
Elise M. Bloom